
10th FEBRUARY, 1803.

Read the first and second time, and ordered to be committed to a Committee of the whole House on Monday next.

A B I L L

For establishing the Government of the Territory of Columbia.

- 1 **Be it enacted**, by the Senate and House of Representa-
2 tives of the United States of America, in Congress assembled,
3 That the government of the territory of Columbia with a refer-
4 vation of the constitutional authority of congress over the same)
5 shall be exercised in manner following:
- 6 The powers of legislation shall be vested in a house of represen-
7 tatives, to be chosen annually, and a senate to be chosen bienni-
8 ally by ballot, by the freemen, citizens of the said territory,
9 in the separate divisions into which it hereby is, or hereafter
10 shall be laid off, for that purpose, each division electing a num-

SECT. 2. *And be it further enacted,* That no person shall be eligible as a member of either house of the legislature of Columbia, who shall not have been in the quiet possession of an estate of freehold, for three years at least next before his election, or who shall not have been a resident of the territory for at least three years, nor shall any person be eligible to the senate of the said territory, whose freehold estate does not amount to five hundred dollars.

SECT. 3. *And be it further enacted,* That every free white male citizen of the United States, of the age of twenty-one years, residing within the territory and paying a tax to the same, shall be a freeman of the territory, and having resided twelve calendar months in his electoral division, next preceding an election of representatives, and having paid taxes in the territory within that

7 time, shall be capable of electing representatives and senators of
8 his said electoral division.

1 SECT. 4. *And be it further enacted*, That each house shall
2 choose its own speaker and other officers, and the legislative
3 when convened, shall by law prescribe the time, places, and man-
4 ner of holding elections. The first meeting shall be on
5 and thereafter on
6 in every year, and
7 at other times on its own adjournment, or the call of the Presi-
8 dent of the United States. Each house shall be the judge of
9 the qualifications and due election of its own members, and a
10 majority of each house shall constitute a quorum to do business,
11 but a smaller number may adjourn from day to day, and may be
12 authorized to compel the attendance of absent members, in
13 such manner and under such penalties as the respective houses
14 may have provided. Each house may determine the rules of its
15 proceedings, punish its members for disorderly behavior, and with
16 the concurrence of two-thirds, expel a member, but not a second
17 time for the same cause. Each house shall keep a journal of its
18 proceedings, and from time to time publish the same: and the
19 yeas and nays of the members on every question, shall at the de-
20 sire of one-fifth of those present, be entered on the journal.

1 SECT. 5. *And be it further enacted*, That no compensation shall
2 be allowed to the members of the house of representatives, or of
3 the senate, for their services, until it shall have been enacted into

4 a law by a legislature, and re-enacted by a second legislature,
 5 after the intervention of an election, which compensation so al-
 6 lowed, shall be payable out of the treasury of the territory. They
 7 shall in all cases, except treason, felony, or breach of the peace,
 8 be privileged from arrest, during their attendance at the session
 9 of the legislature, and in going to and returning from the same,
 10 and for any speech or debate therein, they shall not be questioned
 11 in any other place. No member of either house shall, during the
 12 time for which he was elected, be appointed to any civil office
 13 under the territory, other than that of justice of the peace, and
 14 no person holding any office under the United States, or any office
 15 under the territory, other than that of justice of the peace, or in
 16 the militia thereof, shall be a member of either house during his
 17 continuance in office.

1 SECT. 6. *And be it further enacted,* That every bill shall, before
 2 it becomes a law, have passed both houses, and have had three
 3 several readings in each, on three several days. Every bill or
 4 resolution (except decisions or votes which respect the members,
 5 or officers of the house, and those only) shall also before it be-
 6 comes a law, or take effect, be presented to the President of the
 7 United States, if he approve he shall sign it, but if not, he shall
 8 return it with his objections to that house in which it originated,
 9 who shall enter the objections at large on their journal, but
 10 in that case, it shall not be a law. If any bill shall not be
 11 returned by the President within ten days, Sundays excepted,

12 after it shall have been presented to him, the same shall be a
 13 law, in like manner as if he had signed the same, unless the
 14 houses by their adjournment prevent its return, in which case
 15 it shall not be a law. And in all cases and at all times, the legis-
 16 lature of the United States shall have a power to repeal by law,
 17 but not to modify, any law passed by the legislature of the ter-
 18 ritory.

1 SECT. 7. *And be it further enacted,* That the legislature of the
 2 territory shall have power to pass all laws which are not withheld
 3 from it by this act, nor from the states of the union, by the con-
 4 stitution of the United States.

1 SECT. 8. *And be it further enacted,* That the privilege of the
 2 writ of Habeas Corpus shall not be suspended, unless when in
 3 case of rebellion or invasion, the public safety may require it. No
 4 bill of attainder or ex post facto law shall be passed. No money
 5 shall be drawn from the treasury, but in consequence of appro-
 6 priations made by law: and a regular statement and account of
 7 receipts and expenditures of all public money, shall be pub-
 8 lished from time to time.

1 SECT. 9. *And be it further enacted,* That the executive power
 2 shall be vested in the President of the United States.

1 SECT. 10. *And be it further enacted,* That the President of the
 2 United States shall be commander in chief of the militia of the
 3 territory, and shall have power to grant reprieves and pardons
 4 for offences against the said territory, and shall appoint and com-

3 on a presentment or indictment of a grand jury, except in the
 4 militia when in actual service, in time of war or public dan-
 5 ger. Nor shall any person for the same offence be subject to
 6 be twice put in jeopardy of life or limb; nor shall be com-
 7 pelled in any criminal case to be a witness against himself,
 8 nor be deprived of life, liberty or property, without due process
 9 of law, nor shall private property be taken for public use without
 10 just compensation. In all criminal prosecutions the accused shall
 11 enjoy the right of a speedy trial by an impartial jury of his
 12 vicinage, to be informed of the nature and cause of the accusa-
 13 tion, to be confronted with the witnesses against him, to have
 14 compulsory process to obtain witnesses in his favor, and to have
 15 the assistance of counsel for his defence. Excessive bail shall not
 16 be required, nor excessive fines imposed, nor cruel and unusual
 17 punishments inflicted. In all suits at common law where the
 18 value in controversy shall exceed twenty dollars, the right of a
 19 trial by jury shall be preserved.

1 SECT. 13. *And be it further enacted,* That no law shall be
 2 made respecting any establishment of religion, or prohibiting the
 3 free exercise thereof; or abridging the freedom of speech or of
 4 the press, otherwise than by a liability to private action for fal-
 5 hood in point of fact; or abridging the right of the people practi-
 6 cally to assemble and to petition for redress of grievances; nor
 7 shall the right of the people to keep and bear arms be infringed;
 8 nor shall a soldier in time of peace be quartered in any house

9 without the consent of the owner, nor in time of war but in a
 10 manner to be prescribed by law. The right of the people to be
 11 secure in their persons, papers, and effects, against unreasonable
 12 searches and seizures, shall not be violated, and no warrant shall
 13 issue but upon probable cause supported by oath or affirmation,
 14 and particularly describing the place to be searched and the per-
 15 sons to be seized.

1 SECT. 14. *And be it further enacted,* That the country parts
 2 of the said territory shall not be taxed for buildings, improve-
 3 ments, or accommodations, in any town or city, nor shall any
 4 town or city be taxed for those of another, except that the houses
 5 for the accommodation of the territorial government, (which are
 6 hereby directed to be in the city of Washington) may be built
 7 and maintained out of the treasury of the territory, and those for
 8 the government of a county or other division, by assessment on
 9 the county or other division.

1 SECT. 15. *And be it further enacted,* That the legislature of
 2 the territory of Columbia shall be and are hereby restrained from
 3 passing any law for building a bridge or bridges over the Potomac
 4 river, or the Eastern branch, or from doing any other act or
 5 thing, which may in any way obstruct, impede, or injure the na-
 6 vigation of the said rivers, or either of them. And the said legis-
 7 lature shall be, and are hereby restrained from passing any law to
 8 raise money from one county to make or repair roads, highways
 9 or bridges, in any other county but that from which such money

10 shall be levied: nor shall the legislature of the said territory pass
 11 any law subjecting vacant and unimproved city or town lots, or
 12 any part thereof, being in said territory, to be sold for the taxes
 13 which may be imposed on said city or town lots.

1 SECT. 16. *And be it further enacted*, That for carrying this
 2 government into operation, the said territory of Columbia shall
 3 be parcelled into three electoral divisions; the first division to
 4 contain all that part of the territory taken from Maryland, lying
 5 east of Rock creek, to elect seven representatives and senators.
 6 The second division to contain all the residue of the territory, ly-
 7 ing east of the Potomac river, together with the Island in said
 8 river, commonly called Mason's Island, to elect repre-
 9 sentatives and senators: the third division to contain all
 10 that part of the territory, lying west of the river Potomac, to elect
 11 representatives and senators. And the mar-
 12 shal for the said district having given days notice, shall
 13 cause to be assembled on the day of at such
 14 place in each division as he shall appoint, all the free white male
 15 inhabitants thereof, of twenty-one years of age, citizens of the
 16 United States, who shall have resided twelve calendar months
 17 next preceding, in the said territory, and then and there to elect,
 18 by ballot, such a number of representatives as the division in
 19 which they then reside, is hereby entitled to elect; but no person
 20 shall be permitted to vote out of the division in which he shall
 21 then reside. And the said marshal, by himself and his deputies,

22 (summoning two justices of the peace for each place of election,
 23 who are required to attend for the preservation of the peace) shall
 24 hold the said election, and be judges thereof, and make return
 25 thereof to the President of the United States, which said represen-
 26 tatives shall, on the day of after their election, meet
 27 at such place in the city of Washington, as the President of the
 28 United States shall direct, then and there to hold their session.
 29 One calendar month after the end of their first session, they shall
 30 meet at the same place, or any other to which they shall have
 31 adjourned in the said city, to hold their second session, days
 32 after the end of which second session, the present government of
 33 the said territory, and all the offices and authorities exercised
 34 under it, shall cease; and so much of all acts of congress as
 35 authorized the organization and appointments now existing,
 36 shall stand repealed: save only that the corporations and charters
 37 existing under the laws of Virginia, Maryland and the United
 38 States, shall remain in force, but subject to such alterations as
 39 the legislature of the territory shall at any time make by law.
 40 And the said legislature shall make provisions for taking a census
 41 of the persons qualified as freemen by this act, and for the
 42 election of a new house of representatives and senate, according
 43 to the same, to be assembled on or before the day
 44 of at which time the offices of those first
 45 chosen shall cease.